

(ENGLISH TRANSLATION)

Preliminary Notice of the First Office Action

Date: August 23, 2010

To: inTEST CORPORATION

c/o James M. W. Chan, Hsin-Ching Hsiao, Patent Attorneys

Subject:

The Patent Application No. 093123312 has been examined and the applicant is required to provide supplementary explanations or amendments as indicated in the following point (I). The applicant is notified to file a response in duplicate copies and an amendment within 3 months from the next day of receipt of the notice. The application will be examined according to its current state if no response is duly filed.

Content:

(I). Requirements upon examination of the present application are provided below.

i. Regarding the present application, the amendment (i.e., a request for changing the Applicant's address. No other notice will be issued other than the present notice in this regard.) filed by the Applicant on September 4, 2007 does not exceed the contents of the original application documents. The present application was examined based on the said amendment and the originally filed documents. Upon examination, the present application has 52 claims in total, wherein Claims 1, 11, 20, 29, 36, 41, 49 and 52 are independent claims, and the others are dependent claims.

ii. Regarding the method of Claims 12 and 52, "manually", ".....an operatormanipulate the load....." recited in the steps of the method do not relate to creations of technical concepts, thus failing meet the provisions of Article 21 of the Patent Act. Therefore, Claims 12 and 52 cannot be examined under other patentability requirements of inventions.

iii. Claims 36, 41 and 49 relate to "changing a position of a device or changing a load by using fluid pressure" which is not disclosed in Claims 1, 11, 20 and 29. Therefore, the claims of the present application do not belong to a single general inventive concept, thus failing to meet the provisions of Article 32.2 of the Patent Act, and therefore a prior art search and comparison were not conducted for Claims 36-51.

Applicant is required to file a response to describe the general inventive concept of the claims.

iv. Referring to Claim 8, “the first substantially vertical range of motion” does not appear in the claim upon which Claim 8 is dependent. Referring to Claim 21, the wording is unclear. Therefore, Claims 8 and 21 fail to meet the provisions of Article 26.3 of the Patent Act.

v. According to Reference 1 (US 6550734B1, April 22, 2003), it can be known that Claims 1, 4, 11, 20 and 29 had been disclosed in publications before filing date, thus failing to meet the provisions of Article 22.1.1 of the Patent Act.

1. Reference 1 (see full text, in particular Figs 1 and 2, Columns 2 and 3) has disclosed a pivotable apparatus (spring 34 and coupling 13) for connecting a first and second support structures (21, 25), wherein the spring 34 provides a compliant range of motion, the rotative axis of the motion is within two joints 20 and 28 of the spring 34, and the load center of the first and second support structures (21, 25) is not within the two joints 20 and 28 of the spring 34. Reference 1 has disclosed all features of Claims 1, 4, 11, 20 and 29.

vi. Claims 2, 3, 5-7, 9, 10, 13-19, 21-18, 30-35 are dependent claims directly or indirectly depending upon Claims 1, 11, 20 and 29 and claim additional technical features different than respective independent claims. Claims 1, 11, 20 and 29 having common shared technical contents lack novelty as described in the foregoing point v, and therefore, Claims 2, 3, 5-7, 9, 10, 13-19, 21-18, and 30-35 also cannot belong to a general inventive concept and do not meet the provisions of Article 32.2 of the Patent Act. Applicant is required to file a response to describe the general inventive concept of the claims. If in the response, Applicant simply amends all dependent claims to be independent claims which do not belong to a signal general inventive concept, the claims after amendment may still do not meet the provisions of Article 32.2 of the Patent Act. Furthermore, please be noted that a prior art search and comparison cannot be conducted for Claims 2, 3, 5-7, 9, 10, 13-19, 21-18, 30-35.

vii. Except for the reasons stated in the foregoing points ii-vi, no other rejection reasons are made under Article 44 of the Patent Act.

viii. References:

1. US6550734B1, April 22, 2003

(II). Any supplement or amendment to this application shall proceed under rule 28 of Implementing Regulations of the Patent Act. In the event of filing a response including any amendment, the applicant should file two copies of the formal request forms and sheets indicating the amended parts of the specification or drawings underlined and three copies of the amended parts or drawings without parts being underlined. If such amendments to the specification are made on pages with inconsecutive numbers and three complete copies of the amended specification or drawings are required.

(III). An interview may be requested by Applicant and will be granted under the discretion of the Examiner in charge and the official fees in amount of NT\$1,000 is required for such an interview.

(IV). Enclosed is one search report.

Intellectual Property Office
Ministry of Economic Affairs
(Sealed)

Search Report for Patent Application No. 093123312

1. Filing Date : August 4, 2004		
2. Priority Date : August 6, 2003		
3. International Patent Classification No. (IPC) : B25J9/10 (2006.01), G01R1/073 (2006.01)		
4. Fields Searched in relation to International Patent Classification (IPC) : B25J/9/10, G01R/1/073 B25J9/10 (07.), G01R1/073 (07.)		
5. Database Searched in relation to Domestic and Foreign Patents (Key Terms) : TIPO		
Category	Citation of Documents	Related Claims
X	1. US 6550734B1 2003/04/22 All; in particular, Figs. 1 and 2, Columns 2 and 3	1, 4, 11, 20 and 29

Special categories of cited documents

X: an especially relevant document, if cited solely, sufficient in itself to reject the novelty or the inventiveness of the claimed invention	A: a document used as a reference for the general state of the art	O: a document for public use, on sale or on exhibition
Y: a document which is sufficient to reject the inventiveness of the claimed invention when combined with one or a plurality of other documents	D: a document listed in the specification of the claimed invention	P: a document published between the filing date and the priority date of the subject application
	E: an earlier application or patent but published on or after the filing date of the subject application	L: a document cited for other reasons

Date of Actual Completion of the Search: July 28, 2010